

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

XING XIE, et al.,

Plaintiffs,

-against-

CITYSPADE INC. CITYSPADE MOVING
AND DELIVERY LLC, and ZI JUN WANG,

Defendants.

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DOC #:
DATE FILED: 9/1/2022

1:19-cv-05005 (MKV)

ORDER

MARY KAY VYSKOCIL, United States District Judge:

On September 1, 2022, the Court held a conference to discuss the status of this case and to allow counsel for both sides to explain why they should not be sanctioned. As the Court explained at the conference, IT IS HEREBY ORDERED that the parties shall file a joint letter by the close of business on September 7, 2022. In the joint letter, defense counsel shall confirm his representation at the conference that Defendants request a bench trial, Plaintiffs' counsel shall inform the Court whether Plaintiffs seek a jury trial, and both sides shall state their positions on whether the parties have waived their rights to demand a jury trial.

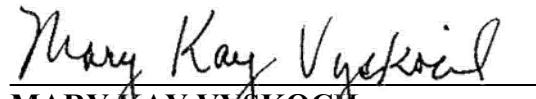
At the September 1, 2022 conference, the Court directed the defense to produce outstanding discovery. Accordingly, in the joint letter due on September 7, 2022, the parties shall inform the Court whether that discovery has been produced. IT IS FURTHER ORDERED that the deadline to complete the two depositions contemplated by the parties, as well as all other fact discovery, is September 30, 2022.

IT IS FURTHER ORDERED that, as the Court explained at the conference, the time for Plaintiffs to act on the Order dated October 20, 2020 conditionally certifying a collective action [ECF No. 30] has expired.

IT IS FURTHER ORDERED that the parties shall appear for a Post Discovery Conference on October 17, 2022 at 10:30 a.m. Mr. Hang must appear to explain why he should not be sanctioned for his failure to supervise this case over the past three years. **Counsel and the parties are on notice that any further failure to comply with the Court's orders and Individual Rules will result in sanctions. Failure to comply with discovery obligations will result in sanction. Failure to prosecute this case in accordance with the Federal Rules will result in dismissal with prejudice.**

SO ORDERED.

**Date: September 1, 2022
New York, NY**


MARY KAY VYSKOCIL
United States District Judge